

Tom Buchele, OSB No. 081560
Earthrise Law Center
10101 S. Terwilliger Blvd.
Portland, OR 97219-7799
Telephone: 503-768-6736
Fax: 503-768-6642
E-mail: tbuchele@lclark.edu

Jesse A. Buss, OSB No. 122919
Willamette Law Group
411 Fifth Street
Oregon City, OR 97045-2224
Telephone: 503-656-4884
Fax: 503-608-4100
E-mail: jesse@WLGpnw.com

Attorneys for Plaintiff Blue Mountains Biodiversity Project

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PENDLETON DIVISION

**BLUE MOUNTAINS BIODIVERSITY
PROJECT**, an Oregon non-profit corporation;

Case No. 2:20-cv-2158-MO

Plaintiff,

SUPPLEMENTAL DECLARATION
OF JESSE A. BUSS

v.

SHANE JEFFRIES, in his official
capacity as Ochoco National Forest
Supervisor; and
UNITED STATES FOREST SERVICE,
an agency of the United States Department
of Agriculture,

Defendants.

DECLARATION OF JESSE A. BUSS

I, Jesse A. Buss, declare as follows:

1. I am over the age of eighteen and I make this declaration based on my own personal knowledge of the facts set forth below. If called to testify in this matter, I could and would testify as follows.

2. Attached as Exhibit 1 is a true and correct copy of the transcript from the October 6, 2016 preliminary injunction hearing in *League of Wilderness Defenders/Blue Mountains Biodiversity Project v. Turner*, Case No. 2:16-cv-1648-MO (D. Or. 2016) (“*Turner*”).

3. Attached as Exhibit 2 is a true and correct copy of the final, signed, November 30, 2015, Forest Health report that the Forest Service included in the *Turner* administrative record at AR 6314–31. BMBP requested that this document be added to the record as part of its Motion to Complete, ECF No. 10 at 20; ECF No. 11-5 at 5, Item 85.

4. Attached as Exhibit 3 is a true and correct copy of the Forest Service Handbook, Section 1909.15 – *National Environmental Policy Act Handbook*, Chapter Zero-Code – titled “wo_1909.15_zero_code.doc” and downloaded on September 9, 2021, from the Forest Service website located at https://www.fs.fed.us/emc/nepa/nepa_procedures/.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED this 10th day of September 2021 in Oregon City, Oregon.

s/ Jesse A. Buss
Jesse A. Buss, OSB No. 122919
Willamette Law Group
411 Fifth Street

Oregon City, OR 97045-2224
Telephone: 503-656-4884
Fax: 503-608-4100
E-mail: jesse@WLGpnw.com